

AND AT HOME: HOMELAND DEFENSE STRATEGY
AT THE SOUTHWEST BORDER

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General Studies

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The opinions and conclusions expressed herein are those of the student author and do not necessarily represent the views of the U.S. Army Command and General Staff College or any other governmental agency. (References to this study should include the foregoing statement.)

ABSTRACT

AND AT HOME: HOMELAND DEFENSE AT THE SOUTHWEST BORDER, by Ryan O'Connor, 84 pages.

The United States must revise and fully implement its homeland defense strategy, in particular, at the Southwest border.

The nation's security strategy and defense doctrine now recognize a broader range of threats not only to the national security in general, but to the homeland in particular. However, the strategy and doctrine is confusing, with inconsistent threat identification and a corresponding inconsistency of roles and responsibilities against those threats. More than inconsistent, both strategy and doctrine are insufficient with respect to the land domain. Worst of all, even as it exists, the nation's homeland defense strategy is not being fully implemented. Analysis of the situation along the Southwest border shows that the homeland is, in fact, not being defended. Identified threats to the homeland are unimpeded in the land strategic approaches and, in fact, penetrating into the homeland.

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CHAPTER 1

INTRODUCTION

Purpose

The purpose of this paper is to show that the Department of Defense is not meeting its stated number one objective of defending the homeland, as stated in the *National Defense Strategy, 2008*. I will show that the Department of Defense is failing to protect United States sovereignty, territory, and the domestic population from external threats. The paper will show this by analyzing the current security environment, threats, and strategy and doctrine related to homeland defense. In discussing these three areas, I will show that external threats are penetrating into the homeland and that the Department of Defense is not defending against them.

Additionally, this paper makes two recommendations, based on the conclusions drawn from my research. First, the Department of Defense needs to rewrite its *Strategy for Homeland Defense and Civil Support*. Secondly, the Department of Defense must assign forces and direct the execution of homeland defense in the land domain at the Southwest border.

Issues

Homeland defense is defined as the protection of US sovereignty, territory, domestic population, and critical defense infrastructure against external threats and aggression, or other threats as directed by the President. The Department of Defense is responsible for homeland defense.¹ However, this is different from homeland security. Homeland security is the effort to prevent terrorist attacks within the United States,

reduce America's vulnerability to terrorism, and minimize the damage and recover from attacks that do occur.² It is the primary responsibility of The Department of Homeland Security to prevent terrorist attacks within the United States.³ The Department of Defense is a supporting agency in that effort.

This new concept of homeland security, which came to prominence following the attacks of September 11, 2001, combined with the establishment of its associated cabinet-level agency, The Department of Homeland Security, has caused confusion as to agency-specific roles and responsibilities at the national level in every security issue within the homeland of the United States. Adding even more confusion, there are ambiguities written right into the definition of homeland defense- what qualifies as "external threats and aggression?" What are "other threats as directed by the President?" These ambiguities may not be surprising when one considers the contemporary environment in which the United States must defend its homeland.

Since early in the last century there has been no substantive military threat posed to the United States via the southern border. Instead, the focus has since been in the vein of enforcement of the nation's laws, specifically customs and immigration laws.

Since the attacks of September 11, 2001, however, the government has adjusted how it perceives the security environment and the threats the nation faces. In addition to the traditional military threats from other nations, national security strategy now recognizes a wider array of conditions and actors that can, or could potentially, present threats to national security. These are generally referred to as non-state actors and are usually transnational in nature, including terrorists and organized crime, specifically narco-trafficking organizations. More than these, the national security strategy and

supporting doctrine now recognize the harder to define threats like illegal immigration and regional instability in under governed or ungoverned areas. With regard to this paper is the realization that some of these newly recognized threats can affect even the homeland. Defense can no longer be looked at “in terms of the ‘home’ game and the ‘away’ game. There is only one game.”⁴

Problem

The President’s *National Security Strategy, March, 2006*, identifies the addition of irregular and catastrophic challenges posed by these non-state actors.⁵ More importantly, it discusses the need to transform the institutions of national security. It says they were designed at a different time to meet different challenges.⁶ The Department of Defense’s *National Defense Strategy, June 2008*, states that its first of five objectives is to defend the homeland.⁷ *The National Military Strategy, 2004*, published by the Joint Chiefs of Staff, states that the armed forces will accomplish those objectives by employing a global, active, layered defense in depth, dealing with threats in three layers: abroad, in the approaches to the homeland, and in the homeland itself.⁸ In support of this strategic framework, the *Department of Defense Strategy for Homeland Defense and Civil Support, June, 2005*, focuses on the approaches and the homeland,⁹ recognizing that “The defining characteristic of the security environment for the next ten years is the risk of substantial, diverse, and asymmetric challenges to the United States.”¹⁰

However, at the strategic land approach that is the Southwest border with Mexico, the Department of Defense is not executing homeland defense. While actively employing assets to interdict threats in the approaches, in both the air and sea domains, and within the homeland itself in the air domain, it has no land component forces

assigned in either the approaches or the homeland. For land operations within the homeland, the department's strategy discusses a "three-tiered approach [which] provides the parameters under which the military would *likely* [emphasis added] operate."¹¹

The irregular challenges, and the environment in which they thrive, described in the national security strategy documents and its supporting doctrine, exist at the Southwest border. The area immediately south of the border can only be described as under governed space, if not ungoverned. Known transnational threats are thriving there with the potential for additional threats to exploit the area. These are all within the strategic approaches. This environment and the threats associated with it in the second layer of the three-layered defense, and the Department of Defense is not executing its homeland defense mission. The threats are actually into the third layer, the homeland, judging by the amount of crime and violence spreading north from the border, as well as the number of people and amount of contraband that sources estimate to be entering the country undetected.¹²

Scope

This paper is focused on the Department of Defense strategy and execution of homeland defense. However, because of the current organization of the nation's "security" apparatus, threats facing the homeland can fall into numerous categories such as homeland defense, homeland security, and law enforcement, with their associated agencies, operations, and effects. Therefore, data obtained from other government agencies will be included, though it will primarily be used to describe the situation. The paper is limited to the land domain at the United States' Southwest border, defined as the

land border between the United States and Mexico, from San Diego, California, to Brownsville, Texas.

This paper will not reach conclusions and recommendations for actions across all the instruments of national power: diplomatic, informational, military, and economic (DIME). Instead, it will focus on the military instrument of national power, or on the Department of Defense's role in defending the homeland within the land domain, specifically at the Southwest border. Further, this paper will not explore whether or not security at the border should be a law enforcement function versus a military one, nor attempt to provide a more clear delineation of homeland defense versus homeland security. While some explanation and interpretation is included for clarity and context, this study is not intended to provide in-depth analysis of the *Posse Comitatus Act of 1878*.¹³ In fact, this paper's contention that the Department of Defense should execute homeland defense, which has a military purpose, means that the act would not apply. The conclusions and recommendations of this paper apply solely to the Department of Defense as it carries out its strategy and actions to achieve its stated primary objective.

Assumptions

This paper assumes that defending the homeland will remain the number one objective of the *National Defense Strategy*. This assumption is validated by President George W. Bush's words in the 2006 *National Security Strategy*, that "...our most solemn obligation [is] to protect the security of the American people."¹⁴ The paper also assumes that the security situation in Mexico, and specifically, northern Mexico, will not improve any time soon, and will actually continue to deteriorate. This assumption is supported by *Joint Operating Environment, 2008*, published by Joint Forces Command,

which attempts to provide estimates of the security environment for the next twenty-five years. In fact, it warns against a “rapid and sudden collapse” of the legitimate state of Mexico.¹⁵ More detailed analysis of the situation along the Southwest border in chapter 4 will also show this to be a valid assumption.

Significance

The continued deterioration of stability in Mexico, in one of our strategic approaches, even spreading into the homeland itself, speaks directly to the significance of this paper. The situation explored in this paper is happening within the second and even third and final layer of the three-layered defense strategy. This paper will show that the Department of Defense is not applying the requisite strategy and effort to what it says is, and what is generally believed to be by the nation’s citizens, its primary objective.

Roadmap

The paper has four chapters. Chapter 2 is the literature review, discussing the body of work that exists on the issue and providing context for the research. Chapter 3 outlines the methodology used to conduct that research. Chapter 4 provides analysis of strategy and doctrine related to homeland defense and analysis of the situation at the Southwest border. Chapter 5 concludes that the strategy is both insufficient, confusing, and not being executed. It recommends that the Department of Defense rewrite its homeland defense strategy and execute it in the land domain at the Southwest border.

¹Department of Defense, *Strategy for Homeland Defense and Civil Support* (Washington, DC: Government Printing Office, 2005), 5.

²Department of Homeland Security, *National Strategy for Homeland Security* (Washington, DC: Government Printing Office, 2007), 3.

³*Strategy for Homeland Defense and Civil Support*, 5.

⁴*Ibid.*, 40.

⁵The White House, *National Security Strategy (NSS)* (Washington, DC: Government Printing Office, 2006), 44.

⁶*Ibid.*, 43.

⁷Department of Defense, *National Defense Strategy (NDS)* (Washington, DC: Government Printing Office, 2008), 5.

⁸Joint Chiefs of Staff, *National Military Strategy (NMS)* (Washington, DC: Government Printing Office, 2004), 9-10.

⁹*Strategy for Homeland Defense and Civil Support*, 2.

¹⁰*Ibid.*, 7.

¹¹*Ibid.*, 26.

¹²See National Drug Intelligence Center, *National Drug Threat Assessment 2009* (Washington, DC: Government Printing Office, 2008) and Michael T. McCaul, “A Line in the Sand: Confronting the Threat at the Southwest Border,” 29. www.house.gov/sites/members/tx10_mccaul/pdf/Investigaions-Border-Report.pdf (accessed March 15, 2009).

¹³Title 18, U.S. Code, Section 1385.

¹⁴*NSS*, forward.

¹⁵Department of Defense, *Joint Operating Environment* (Washington, DC: Government Printing Office, 2008), 36.

CHAPTER 2

LITERATURE REVIEW

Introduction

I will divide the body of work used for this paper into two categories. First are those works which lay out the national security strategy, specifically homeland defense, and the doctrine that supports it. Second are those works that analyze the current situation.

The vast majority of writing, debate, and news coverage fall within the areas of economics, culture, politics, and law enforcement. While the topic of this paper focuses specifically on the responsibility of the Department of Defense to defend the homeland, observations within these other contexts were very useful to get a broader sense of the situation, including the environment, threats, and policy and operations of the entire security apparatus. These contexts are especially important to consider for the implementation of this paper's recommendations.

Additionally, since the attacks of September 11th, 2001, terrorism has been the new context for discussion. I mention this outside of the context of homeland defense because preventing terrorist attacks within the United States falls under the purview of "homeland security," for which the Department of Homeland Security is the lead agency. This issue will be addressed in more detail throughout the paper.

Despite the Department of Defense being the lead agency for defending the homeland, virtually no literature discusses the Southwest border from a defense perspective. Even within the Department's own homeland defense strategy and supporting doctrine, while other domains like air and sea are covered in detail, the land

domain is significantly lacking. This paper provides a perspective that is overlooked within the existing body of work concerning the Southwest border.

National Strategy and Defense Doctrine

National Strategy

This first category deals with the documents that outline the security strategy at the national level. The office of the president publishes the *National Security Strategy*. To explain how that strategy will be implemented the Department of Defense publishes the *National Defense Strategy* and the Joint Chiefs of Staff publish the *National Military Strategy*. In addition, specific to the topic of this paper, the Department of Defense published its *Strategy for Homeland Defense and Civil Support*.

The latest edition of *The National Security Strategy* (NSS) was published in March, 2006. It outlines the President's view of the security environment, the threats facing the nation, and his broad guidance to government agencies. This edition addresses additional security challenges the nation faces, beyond the traditional. It identifies the addition of irregular and catastrophic challenges posed by non-state actors, such as terrorism, organized crime, and the networks that smuggle illicit narcotics and people.¹ It also provides the president's guidance for the adaptation of our security institutions to meet those challenges.²

The National Defense Strategy, last published in June 2008, outlines the strategy of the Department of Defense to support the objectives of the *National Security Strategy*.³ It details how the department will accomplish its role in the national security strategy and gives guidance for the national military strategy.⁴ The document outlines the strategic environment, the strategic framework for the department's operations, the department's

capabilities and means, and discusses risk and its mitigation. Two of these areas are important to this paper. First, is the document's description of the strategic environment. This is the environment that presents challenges and threats against which the department bases its planning and operations. Second, the department's objectives are found within the strategic framework, specifically, objective number one: defend the homeland. One of the decisive elements of this paper is to determine whether or not there is proper linkage of those operations and plans to that objective, based on the identified environment, challenges and threats.

The National Military Strategy is published by the Joint Chiefs of Staff to provide direction to the armed forces to achieve the goals of the national defense strategy, within the framework of the broader national security strategy.

The NMS defines specific tasks for the Joint Force that allow commanders to assess military and strategic risk. It guides adjustments to plans and programs to generate, employ and sustain joint capabilities effectively. Additionally, it provides insights on operational matters, institutional issues, force management programs, future challenges and recommends courses of action to mitigate risk.

At the time of this paper the current *National Military Strategy* was published in 2004. (These documents are updated on a standardized cycle, so though dated; it is the guidance on which the Armed Forces operates.) While not nested specifically to the most recent *National Defense Strategy* of 2008, it does provide insight into the environment, threats, and how the armed forces are responding to both. In relation to this paper it discusses the employment of military capabilities at home and within the strategic approaches to protect the United States, its population, and critical infrastructure. It also discusses key aspects of the security environment, most notably the wider range of adversaries. This range now includes non-state actors such as terrorist networks,

international criminal organizations, and illegal armed groups that operate in what it calls the “more complex battlespace, extending from critical regions overseas to the homeland.”⁵

The *Strategy for Homeland Defense and Civil Support* is the Department of Defense strategy for achieving its primary objective of the *National Defense Strategy*: defend the homeland. It outlines in more depth the three-layered defense construct mentioned in the *National Defense Strategy* and the *National Military Strategy*, though focuses on the approaches and the homeland.⁶ It also discusses homeland defense operations across all domains; land, sea, air, space, and information.⁷ This is important because, again, this paper will show that the homeland is not being defended in the land domain.

As a strategy, the document lays out the ends, ways, and means for homeland defense. This paper will criticize some of the ways that are employed by the document. Specifically, it claims to deter, intercept, and defeat threats to the homeland at a safe distance and within the homeland.⁸ This paper will show that is not the case. Also, this paper will show that the document is leading to civil support being used in place of actual homeland defense. There is a lot of discussion throughout the document of other government agencies, at all levels, and even partner nations, like Canada and Mexico, though it does discuss US Northern Command (USNORTHCOM) as the primary means for executing homeland defense. Though interagency and multinational cooperation are certainly necessary because of the uniqueness of operating in the homeland, this paper is interested in those other entities being substituted as the means for homeland defense.

A final national security document is the *National Strategy for Homeland Security*. While this is completely separate from the *National Defense Strategy*, it is important to this paper. This document defines homeland security and is the guiding strategy for “securing the homeland.” As mentioned briefly in chapter 1, this is a contributing factor in the confusion between homeland security and homeland defense. While focused on preventing terrorists and their weapons from entering the homeland the strategy also addresses other transnational challenges, such as illegal immigration.

Defense Doctrine

Joint Publication 3-0, *Joint Operations*, published in 2006, but incorporating changes from 2008, “provides guidance to joint force commanders (JFCs) and their subordinates for planning, preparing, executing, and assessing joint operations across the range of military operations.”⁹ As the term applies in this paper, those joint force commanders are the commander of U.S. Northern Command and his subordinate commanders. This manual discusses the strategic security environment as it exists today, as well as some strategic considerations for joint force commanders, specifically higher strategic guidance, like the *National Security Strategy*, *National Defense Strategy*, and *National Military Strategy* previously discussed, and the strategic role of combatant commanders. (The commander of U.S. Northern Command is a geographic combatant commander.) Additionally, JP 3-0 discusses the range of military options available to the armed forces. These include those operations the Department of Defense is currently conducting with respect to this topic, like homeland defense (HD), civil support (CS) to other government agencies, and support to counter drug (CD) operations.

Joint Publication 3-27, *Homeland Defense*, is the Department of Defense doctrine manual guiding the execution of homeland defense operations. This manual reiterates that defense of the homeland is the department's highest priority.¹⁰ It also briefly discusses the three-layered defense construct again. It also reiterates that homeland defense is conducted in all domains, devoting a chapter to each. It identifies homeland defense operations in the land domain as consisting of offense and defense.¹¹ Even more important to this paper is what it does not say. It does not discuss civil support as a way of conducting homeland defense.

Current Situation

Defense or National Security Perspective

One of the most important works for this paper was a report called *A Line in the Sand: Confronting the Threat at the Southwest Border*. This report was prepared for congress by the Majority Staff of the House Committee on Homeland Security, Subcommittee on Investigations, chaired by Congressman Michael T. McCaul (R-TX). The report looks at crime and violence along the Southwest border. It is important to this paper because it details what is crossing the border and entering the homeland. It examines the Mexican drug cartels, people crossing illegally, and the spreading crime and violence associated with both.

Also important is the *National Drug Threat Assessment*, 2009, issued by the Department of Justice. Though focused on illegal narcotics it is important to this paper for more reasons. It shows the effectiveness and influence of the Mexican drug cartels. It also shows the extent to which these foreign-born, illegally armed groups have penetrated into the homeland.

The Joint Operating Environment (JOE) is published by Joint Forces Command and the most recent edition is 2008. “It provides a perspective on future trends, shocks, contexts, and implications for future joint force commanders and other leaders and professionals in the national security field.”¹² It looks out 25 years to give an idea as to what the environment could look like in the 2030s.

The *Joint Operating Environment* is important to this paper for two reasons. First, it reinforces the assumption this paper makes that the deteriorating security situation at and around the Southwest border will continue for some time into the future. Secondly, and more importantly, it attempts to describe the environment, and the threats that operate in that environment, which threaten our national security. It discusses the under-governed or ungoverned spaces and their effects on the security environment. It goes on to highlight the ability of transnational threats to exploit these spaces, specifically discussing capabilities and adaptability of organized crime, drug cartels, and terrorist organizations. Of considerable importance to this paper it discusses the likelihood and ramifications of the collapse of the legitimate state of Mexico, expanding and worsening that ungoverned space. Further, it emphasizes the important need for the Department of Defense to learn, adapt, and find innovative approaches to dealing with these new threats to national security. This document speaks directly to a critical point of this paper, linking the generic environment, challenges, and threats recognized in national strategy to identified current and future environment, challenges, and threats.

Terrorism is the newest context for discussion of the Southwest border. Obviously, this area of discussion has increased since the attacks of September 11, 2001. Most literature, though, like *Unconquerable Nation*¹³ and *Homeland Security and*

Terrorism,¹⁴ is focused on the actual objectives and effects of attacks within the country, mentioning briefly possibilities of the attackers' routes transiting the Southwest border. If there is discussion about how terrorists can actually enter the country it is almost always focused at the ports of entry (POE), like airports, sea ports, and official border crossing points. There is very little literature that discusses all the land in between and its use in gaining illegal entry to the country. Additionally, almost all discussion toward prevention of entry goes toward recommendations on improving civilian law enforcement agencies.

Because homeland security and the Department of Homeland Security are the new "focus," there is plenty of literature on the subject. Most of it, though, like *Your Government Failed You*, by Richard A. Clarke,¹⁵ tends to focus on why the government agencies were reorganized and how the new department is not performing correctly.

The final, but important, type of literature focused on national security or defense at the border is in the form of periodicals and security-specific analysis. This includes open-source analysis like Strategic Forecasting¹⁶ and *Jane's Intelligence Review*,¹⁷ local and national news articles, subject-specific journals, and products authored by specialists in the field. This body of work is important to this paper as it confirms or denies the strategy and doctrinal assessment of the environment and threats, used in Chapter 4, "Analysis." It also provides a good source of the data related to the results of security and defense initiatives related to the topic.

Other Contexts

Within the economic context, the easiest issue to start with is trade. In the most general sense, the debate on trade basically consists of arguments as to whether or not, or

to what extent, the United States should let security of the border impede trade between the two countries. A major subset in the economic context is the debate over migrant workers. One side says they are a necessary part of the workforce that keeps certain industries, and the economy as a whole, moving. The opposite side argues they are actually hurting the economy by lowering wages, preventing “creative destruction,” taking the jobs of Americans, and disproportionately adding to social costs. An example of these kinds of debates can be found in Congressman J. D. Hayworth’s book, *Whatever It Takes*.¹⁸

For those who argue for or discuss how to deal with or counter the flow of illegal aliens, the majority discuss options in terms of the use of some of the other instruments of power at the strategic level. There are recommendations on how to improve Mexico’s economy so workers won’t have to migrate north. There are recommendations that say our government needs to work out a diplomatic solution with the Mexican government. There are calls for reforming our immigration policies. Examples of these types can be found in the book *The Bear and The Porcupine*,¹⁹ by former ambassador to Mexico Jeffrey Davidow.

As for the context of culture, there is a plethora of literature. Most discuss the undeniable intermingling of culture throughout the entire border region. There is some discussion of the cultural effects of improved security. These discussions naturally tend to lean toward the argument that improved security would have negative effects on our culture and specifically families on both sides of the border. Examples from this body of work are Andrew Grant Wood’s *On the Border: Society and Culture Between the United*

*States and Mexico*²⁰ and Joseph Nevins' *Operation Gatekeeper: The rise of the "Illegal Alien" and the Making of the U.S.-Mexico Boundary*.²¹

In the political arena, discussion on the issue of the Southwest border has recently picked up more momentum. It very much came to the forefront during the recent presidential campaign season, in which one of the candidates was a senator from Arizona. There are usually three main lenses through which to view the political debate of the border. Although drug smuggling is occasionally one, they are usually the economy, the more philosophical vein of the country as a land of immigrants, and finally the constituency and their stake in the debate. I have already discussed the economy. The more philosophical debates focus on whether or not we should be more or less welcoming, changes to our immigration policy, and our image and history as an immigration nation. Examples of these types of discussions can be found in *Closing the Border*²² and, again, in Nevins' *Operation Gatekeeper*.

The political discussions tend to be polarized by the perception of whether or not certain regions, states, or communities are affected by the issue. Obviously it is a continuous issue in the four border states: California, Arizona, New Mexico, and Texas. Within other states it is a political issue because of niche industries like fruit picking and meat processing in Tennessee and other food processing in Georgia. Again, books like *Whatever It Takes* discuss these issues, as well as periodicals.

Literature on law enforcement with respect to the Southwest border generally looks at three major areas. First, with the largest amount of literature, is literature covering enforcement of the nation's immigration laws. Second, with almost as much coverage, is the subject of smuggling across the border, whether it is the primary focus of

drugs, or humans, guns, or any other contraband. The third area, mostly covered on a more localized level, is a look at the general pattern of increased crime starting at the border and spreading into the interior. This paper relied mostly on official reports, like the *National Drug Threat Assessment* and *A Line in the Sand*, for law enforcement topics. However, there are other sources, including *Patrolling Chaos*²³ and *The Closing of the American Border*, which are mostly anecdotal. Also Richard Clarke's *Your Government Failed You* does address some of the law enforcement issues, but focused on government organizational failures.

This context of law enforcement is crucial to this study for a number of reasons. First, exploring this aspect of the Southwest border speaks directly to the confusing intermingling of homeland defense, homeland security, and defense support to civil authorities, specifically the identification of threats and the matching of capabilities to those threats. That is just at the federal level. There are still state and local law enforcement (even defense, if one considers state controlled National Guard) roles and responsibilities that figure in to the issue.

Secondly, if this paper is to consider the spread and exploitation of under governed space, and its associated crime and other non-state actors, as threats to the homeland, the context of law enforcement must be considered. Currently, threats like narcotics smuggling and illegal immigration fall under the purview of other departments with law enforcement responsibilities, like the Departments of Homeland Security and Justice. However, organized crime and transnational smuggling organizations are recognized as irregular challenges to national security, specifically to the homeland, by the national security strategy documents.

Conclusion

A large majority of the literature on the issue of the Southwest border is focused at the strategic level. It examines how the government is or isn't, should be or shouldn't be, leveraging other instruments of national power to improve security. Specifically, there is great discussion about economic instruments and effects, as well as the diplomatic (political) instruments and effects.

This paper will not study nor come to conclusions in these areas, but will instead focus on the role of the Department of Defense in defending the homeland. However, this amount and type of literature shows the complexity of the issue of security at the Southwest border. It is within this complex context that any conclusions and recommendations of this paper must be considered.

Analysis of the existing literature shows that there is a gap in the literature when it comes to discussion of the military instrument of national power. There is very little discussion at all of the Southwest border being a defense issue. If it is discussed at all, it is usually simply in the context of state National Guard units, only in support of law enforcement agencies, and only on a temporary basis. Even within the *Strategy for Homeland Defense and Civil Support* itself there is not a definitive strategy for the employment of ground forces to defend against the challenges and threats the homeland faces. The “default mode” for any mention of operations inside the US seems to be civil support to other government agencies and, or, law enforcement. This paper addresses this gap in the literature. It will show that the issue of the Southwest border does merit some discussion in the context of defending the homeland.

¹NSS, 47.

- ²Ibid., 43.
- ³NDS, 2.
- ⁴Ibid., 1.
- ⁵NMS, 5.
- ⁶*Strategy for Homeland Defense and Civil Support*, 14.
- ⁷Ibid., 17 and 40.
- ⁸Ibid., 2.
- ⁹Joint Chiefs of Staff, Joint Publication (JP) 3-0, *Operations* (Washington, DC: Government Printing Office, 2006), I-1.
- ¹⁰Joint Chiefs of Staff, Joint Publication (JP) 3-27, *Homeland Defense* (Washington, DC: Government Printing Office, 2007), I-1.
- ¹¹Ibid., IV-1 to IV-2.
- ¹²*Joint Operating Environment*, ii.
- ¹³Brian Michael Jenkins, *Unconquerable Nation: Knowing our Enemy, Strengthening Ourselves* (Arlington: RAND Corporation, 2006).
- ¹⁴Russell Howard, James Forest, and Joanne Moore, *Homeland Security and Terrorism: Readings and Interpretations* (New York: The McGraw-Hill Companies, Inc., 2006).
- ¹⁵Richard A. Clarke, *Your Government Failed You: Breaking the Cycle of National Security Disasters* (New York: HarperCollins Publishers, 2008).
- ¹⁶STRATFOR Global Intelligence. http://www.stratfor.com/about_stratfor.
- ¹⁷Jane's Intelligence Review. <http://search.janes.com>.
- ¹⁸J.D. Hayworth, *Whatever It Takes: Illegal Immigration, Border Security, and the War on Terror* (Washington, D.C.: Regnery Publishing, Inc., 2006).
- ¹⁹Jeffrey Davidow, *The Bear and the Porcupine: The US and Mexico* (Princeton: Markus Wiener Publisher, 2007).
- ²⁰Andrew Grant Wood, *On the Border: Society and Culture Between the United States and Mexico* (Lanham: SR Books, 2001).

²¹Joseph Nevins, *Operation Gatekeeper: The rise of the “Illegal Alien” and the Making of the U.S.-Mexico Boundary* (New York: Routledge, 2002).

²²Edward Alden, *The Closing of the American Border: Terrorism, Immigration, and Security Since 9/11* (New York: HarperCollins Publishers, 2008).

²³Robert Lee Maril, *Patrolling Chaos: The U.S. Border Patrol in Deep South Texas* (Lubbock: Texas Tech University Press, 2004).

CHAPTER 3

RESEARCH METHODOLOGY

Introduction

This chapter will consist of four parts. First, I will discuss the conceptual model for my research methodology. Secondly, I will discuss the steps taken in the research of this paper. This section will be divided into a review of the stated strategy and the doctrine that supports it, and analysis of the current situation. Next, I will discuss some limitations to the research. Finally, I will make a summary and some conclusions with respect to that research.

Conceptual Model

The conceptual model I used to study whether or not the Department of Defense is meeting its stated number one objective of defending the homeland is, in short, a comparison of what is said versus the reality of the situation. (See figure 1) “What is said” consists of the written national-level security strategy, defense strategy, and specifically, homeland defense strategy. It also consists of the written defense doctrine used to carry out that strategy. From these documents comes an explanation of the security environment, the threats, and the planned employment of capabilities against those threats. “Reality” is the analysis of threats at the Southwest border and analysis of operations against those threats. The analysis along these two lines provides a comparison showing reality at the Southwest border is not in accordance with the nation’s stated homeland defense, and thus, security, strategy.

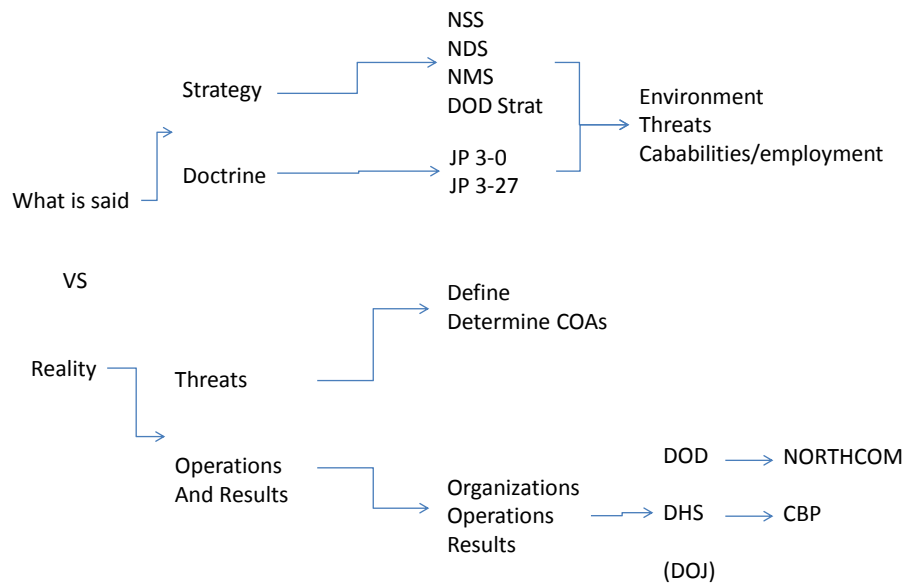


Figure 1. Conceptual Model

Steps Taken

Review of the Stated Strategy and Supporting Doctrine

The first step of the research was to review the national security strategy, and specifically, the strategy documents related to homeland defense, as well as its supporting doctrine. This section of research was most easily divided into two parts. The first part was to review the national level security strategy documents, consisting of the *National Security Strategy*, *The National Defense Strategy*, and *the National Military Strategy*, the *Strategy for Homeland Defense and Civil Support*, as well as the *National Strategy for Homeland Security*. The second part was to review the doctrine of the Department of

Defense that supports that strategy. The primary sources of doctrine consisted of Joint Publication 3-0, *Joint Operations* and Joint Publication 3-27, *Homeland Defense*.

The purpose of reviewing these documents was to ensure a complete and accurate understanding of the stated homeland defense strategy at the national and Department of Defense levels. This review allowed an understanding of the stated ends, ways, and means as related to homeland defense. It further provided insights into the roles and responsibilities within homeland defense as well as national level interpretation of the current and future security environment and threats the homeland faces. In addition, it was necessary to understand the newer realm of homeland security. This new concept is one of the contributing factors to confusion at every level, as will be discussed in chapter 4.

Analysis of the Current Situation

The second step of the research was to analyze the current situation through multiple sources. After clarifying what national security strategy recognized as threats, I analyzed the Southwest border region in relation to those threats. This step identified which threats were present, their characteristics, and most importantly, their ability to affect the homeland. Next, I analyzed the organizations charged with securing the Southwest border, as well as the results they produce. I use the word *secure* here because though this paper is focused on the Department of Defense role in homeland defense, other government agencies are being used instead, like the Departments of Homeland Security and Justice.

Limitations

While there is a lot of writing surrounding the issue of the United States Southwest border, a small percentage of it is focused on the national security aspect of the border. Within the small amount of writing dealing with the defense or security aspect, there is very little writing specific to strategy, organization, and operations of the Department of Defense. As discussed in the literature review, there is no literature addressing the issue from the perspective of homeland defense.

Even within the literature of the department itself, there is very little that covers homeland defense. The Department's *Strategy for Homeland Defense and Civil Support* illustrates that point in the very title. It has included a completely different operation, civil support, into the forty pages that should outline what the department claims is its first priority. In Joint Publication 3-27, *Homeland Defense*, the armed forces' doctrine for conducting that mission, there are seven pages dedicated to the land domain, and three of those pages are organizational charts.¹

Conclusion

The nation's national security strategy documents outline the approach to national security, including the ends, ways, and means. This includes defense of the homeland. In fact, those documents identify it as the number one end for the Department of Defense.² The documents defined and described the new security environment and the threats it poses to the homeland. Identifying those threats and their activities against the homeland, and describing ongoing actions and results provided the analysis of the current situation. Comparing these two will show that the Department of Defense is not meeting its stated number one objective of defending the homeland.

¹ JP 3-27, IV-1 to IV-7.

² *NDS*, 6.

CHAPTER 4

ANALYSIS

Introduction

In this chapter I will analyze what my research found. I will divide the analysis into three major categories. These categories are the contemporary security environment, the threats that environment poses to the homeland, and the strategy of the United States to defend the homeland against those threats. Both threats and strategy will be analyzed in two parts. First, I will analyze the national strategy and its supporting doctrine, at multiple levels, and then analyze the current situation, or reality, at the Southwest border. This will provide a comparison of what is said to what is happening.

Analysis

Contemporary Security Environment

The national security strategy and the supporting Department of Defense doctrine define the contemporary national security environment very differently than before the attacks on September 11, 2001. The characteristics of this new security environment, caused the United States to identify new and different threats and challenges. Therefore, theoretically, it should cause defense and security institutions to plan and operate in a new way. Based on this new nature of the security environment the national security strategy and doctrine define the physical aspect of that environment, or the area of operations (AO) for lack of a better term, in a very specific manner.

The security environment in which the United States finds itself today is an extremely fluid, complex, and distributed operational area.¹ It is distributed because it

affects US national security interests throughout the world, including the homeland. The nation experiences challenges in depth. The complexity of the environment does not just refer to the time and distance over which the nation must contend with these challenges. The nation now faces challenges in not only the traditional domains of land, sea, and air, but also in new domains like space and the information domain. The range of what are considered potential adversaries contributes to that complexity. Globalization, the improved capacity for information and economic flow relatively unimpeded throughout the world, is a major contributing factor to the complexity of this environment.² Multiple and varied adversaries and challenges across multiple domains throughout the globe make for a very fluid environment.

The nation's security strategy and defense doctrine now recognize a broader range of threats to the national security. While the traditional military threats from other nations remain, the United States will also face a range of asymmetric threats.³ Documents of the national security strategy and the Department of Defense identify by name multiple transnational threats such as terrorism and international criminal organizations, specifically narco-trafficking cartels and other smuggling enterprises. In addition to those threats, these documents identify the more ambiguous challenges like illegal immigration and under governed or ungoverned spaces that can directly or indirectly threaten national security. These new challenges will be discussed in further detail later in this chapter, both as identified in strategy and doctrine and as found in the current situation at the Southwest border.

The physical dimension of the environment is a critical aspect, especially as it relates to the defense of the homeland. Based on the nature of the security environment

already discussed, the nation's national security strategy and defense doctrine define the physical layout of the environment in terms of its non-linear nature, depth, the inclusion of the homeland as a part of the "area of operations," and the framework for defense.

The physical layout of the contemporary security environment is non-linear.⁴ A linear battlespace generally stems from the confrontation of recognizable, legitimate armed forces. One side usually has its frontline, flanks, and rear area. In direct opposition, the adversary has its front, flanks, and rear. With a broader range of adversaries, of which uniformed military challenges of nation-states are only a fraction, there are not necessarily designated theaters of operation or neatly designed, clearly identifiable areas of operation. In the words of then president George W. Bush, "The battle is now joined on many fronts."⁵

To be clear, this non-linear framework is not just in certain areas away from the continental United States. It spans the globe, "extending from critical regions overseas to the homeland."⁶ Obviously, the fact that the environment includes the homeland is critically important to the question of whether or not the Department of Defense is meeting its objective. Also significant to this discussion, though, are the critical regions overseas, some further abroad and some within the approaches to the homeland. One of the types of critical regions identified by national strategy and defense doctrine, which has significant impact on the question of this paper, is ungoverned or under governed spaces. It is from within these spaces that some challenges emanate, whether uncontrolled migration, illicit activities, or the planning and launching of terrorist operations. "Ungoverned, under-governed, misgoverned, and contested areas offer fertile ground for such groups [non-state actors] to exploit the gaps in governance capacity . . .

to undermine local stability and regional security.”⁷ Even the spread of these spaces themselves offers a challenge to national security. “If left unchecked, such instability can spread and threaten regions of interest to the United States.”⁸ These spaces directly affect the defense of the homeland.

The *Strategy for Homeland Defense and Civil Support* says that terrorists now consider the homeland a “preeminent part of the global theater of combat.”⁹ Though terrorists are very interested in the homeland as an area of operation, they are just one fraction of the adversaries and challenges that national security strategy and doctrine now recognize as posing a threat to the homeland. In this environment sovereignty and borders are ignored by multiple challenges.¹⁰ Some of these challenges are actually organized groups which have structure and leadership, like international criminal organizations. Still others are the more ambiguous challenges; phenomena like uncontrolled migration and the spread of under governed space. National strategy and defense doctrine now recognize that “oceans no longer protect America from the dangers of this world.”¹¹ The country now faces threats and challenges to the actual homeland.

All of these aspects of the contemporary security environment have led to the final physical aspect, which is the defensive framework laid out by the national security strategy and defense doctrine to deal with these issues. “The non-linear nature of the current security environment requires multi-layered active and passive measures to counter numerous diverse conventional and asymmetric threats.”¹² It is a defense in depth with three basic layers: abroad, the approaches, and the homeland. The *Strategy for Homeland Defense and Civil Support* lays out the construct for homeland defense as an “active, layered defense that is global, seamlessly integrating US capabilities in the

forward regions of the world, in the geographic approaches to US territory, and within the United States.”¹³

The forward regions are foreign land areas, airspace, and waters outside the homeland.¹⁴ More relevant to this discussion are the final two layers of the defensive framework, the approaches and the homeland. “The approaches extend from the limits of the homeland to the forward regions. The approaches are not uniformly defined, may not have boundaries and may be characterized based on a specific situation.”¹⁵ For the specific situation this paper studies, the Southwest land border, it is important to note that the land approaches to the continental United States are within the sovereign territory of Mexico.¹⁶ The third and final layer, the US homeland, includes the continental United States, as well as Alaska, Hawaii, US territories and possessions, and the surrounding territorial waters and airspace.¹⁷ Again, this paper concentrates in the land domain, specifically at the Southwest border.

This newly defined environment has had dramatic effects on the view of, and approach to, national security. It has “expanded [the] traditional concept of national security.”¹⁸ This, in turn, has forced the United States to update its national security institutions. As the President stated in his forward to the 2006 *National Security Strategy*, “The major institutions of American national security were designed in a different era to meet different challenges. They must be transformed.”¹⁹ These changes have placed unique demands on the military in particular.²⁰

By expanding and changing the view of national security, strategy and doctrine was forced to recognize new challenges.²¹ While traditional threats to the US homeland remain, homeland defense strategy anticipates a host of new challenges in the next ten

years.²² Though maybe harder to clearly identify and define, they are almost all transnational, asymmetrical, and certainly politically unconstrained.²³

Through the confluence of these new and varied challenges, across the multiple domains, and exacerbated by globalization, national security strategy and doctrine have identified that the nation has multiple points of vulnerability.²⁴ It is against these multiple points of vulnerability that the national security strategy and doctrine is directed. This forces the final effect of the environment: any approach to defending against it is inherently resource-intensive. This is not just in the monetary sense. The environment demands an approach intensive in the resources of time, technology, manpower, government bureaucracy, and legislative initiatives.

The Threats

To analyze the environment correctly demands a detailed examination of the threats that environment presents. The first step is to define those threats and challenges, according to national security strategy and the supporting defense doctrine. Then, it is important to confirm or deny those same threats at the Southwest border and analyze their actions.

The Threats as Defined by Strategy and Doctrine

Within the various documents of the national security strategy and the doctrine of the Department of Defense there is no single listing of threats to national security, much less specifically to the homeland itself. For the purposes of this paper, primarily for clarity, I will synthesize all of the threats and challenges discussed in these documents into a succinct list. This is only for the purpose of making this paper more easily read

and understood. This is not an officially recognized listing or grouping, but the threats and challenges come directly from the documents and are maintained in their intended contexts.

The threats can be organized into two major categories: traditional and non-traditional. The traditional category contains only one type of threat. That is the traditionally understood military capabilities-based threat from other nations. Homeland defense strategy recognizes that the non-traditional category contains a host of new challenges.²⁵

Within the non-traditional category rational actor states still present threats. Nations are attempting to circumvent our strengths by employing asymmetric techniques. However, a large portion of this category is composed of threats posed by non-state actors. Non-state actors are elements not constituting recognized, legitimate nation-states. While many groups commonly labeled non-state actors are limited geographically, some are further classified as transnational threats when their influence or actions cross borders. This paper, focusing on homeland defense, is concerned with those non-state actors qualifying as transnational threats.

Among non-state actors the security strategy and defense doctrine focus on two types. The first are called armed sub-national groups or illegally armed groups, depending on whether you read the *National Defense Strategy*²⁶ or the *National Military Strategy*,²⁷ respectively. The primary focus in this group is on those threatening the United States based on what the National Defense Strategy labels violent extremist ideology.²⁸ For simplicity, this paper will use the terms terrorism or terrorists throughout.

The second group of non-state actors focused on by the US national security strategy and defense doctrine is composed of organized criminal enterprises. When these have transnational capabilities, they are also referred to as international criminal organizations. The international criminal organizations highlighted throughout strategy and doctrine are those involved with illegal narcotics, some of which have emerged as transnational threats. Examples of these are the major Mexican drug cartels which operate in multiple countries, including the United States.

Though certainly non-traditional, it is not difficult to understand why these transnational, non-state actors, specifically narco-trafficking organizations and terrorists, are identified as threats to the nation. However, the documents comprising the relevant defense doctrine and national security strategy go on to identify other threats. The broadest sense of this can be seen in the very definition of homeland defense. *The Department of Defense Strategy for Homeland Defense and Civil Support* defines homeland defense as the protection of US sovereignty, territory, domestic population, and critical defense infrastructure against external threats and aggression, or other threats as directed by the President.²⁹

Other documents of the national security strategy and defense doctrine attempt to identify some of these *external threats and aggression, or other threats*. For example, Joint Publication 3-27, *Homeland Defense*, states “There is a persistent threat to our homeland posed by the influx of illegal immigrants, special interest aliens, drugs, and contraband. Criminal organizations have established networks to move people, drugs, or other contraband; . . . they can also be used for terrorists who want to conduct violent acts... transnational threats pose a serious danger to the Nation.”³⁰ Even the nation’s

capstone security document, the President's *National Security Strategy*, recognizes the threats these activities pose to the nation.³¹

The final threat to the homeland was previously mentioned as one of the characteristics of the contemporary security environment, but is itself a threat, as well. It is the emergence of ungoverned or under governed spaces. The *National Military Strategy* warns that adversaries take advantage of ungoverned space and under-governed territories from which they prepare plans, train forces and launch attacks. It goes on to say that these ungoverned areas often coincide with locations of illicit activities; such coincidence creates opportunities for hostile coalitions of criminal elements and ideological extremists.³² More than just direct threats, indirect threats, like uncontrolled migration and unfettered crime can emanate and spread from these areas. "If left unchecked, such instability can spread and threaten regions of interest to the United States..."³³ The very fact that these spaces even exist is a threat to the homeland.

The Threats Identified at the Southwest Border

The non-traditional threats to the US homeland, identified throughout the documents of national security and homeland defense above, currently exist along the Southwest border. The south side of the border is under governed. That condition is worsening and spreading north across the border. Terrorist organizations, drug cartels, other criminal organizations, and illegal aliens are exploiting that condition and penetrating into the US homeland.

While no terrorist attackers have been confirmed to have entered the United States through the Southwest border, terrorist organizations are exploiting the border. The Lebanese terrorist organization, Hezbollah, has already crossed into the country over the

Southwest border.³⁴ U.S. officials from law enforcement, defense, and counterterrorism fields have confirmed that Hezbollah is continuing to work with Mexican drug cartels to smuggle people and money across the border.³⁵ Though this is the only identified and named organization so far, hundreds of people from countries known to harbor terrorists or promote terrorism are apprehended each year attempting to enter illegally between the ports of entry.³⁶ In fact, in the five years following September 11, 2001, the Department of Homeland Security reported a 41% increase in apprehensions of Special Interest Aliens (aliens from the 35 nations designated “special interest” by the intelligence community) along the Texas section of the border alone.³⁷ Law enforcement is reporting that there are networks that even specialize in smuggling people from particular Middle East countries, like Iraq, Jordan, and Syria.³⁸ In addition, other intelligence shows the elite Zetas, a Gulf Cartel enforcer organization made up of defected commandos, have established a network inside the United States to smuggle “high-value” aliens.³⁹

To add to the statistics, the former director of the FBI testified before congress that, “individuals from countries with known al-Qaida connections are...pretending to be Hispanic immigrants.”⁴⁰ He stated some individuals were even changing their surnames to Hispanic names. This was after the former Mexican National Security Adviser and ambassador to the UN admitted that “Islamic terrorist groups are using Mexico as a refuge.”⁴¹

Drug trafficking is another threat, named in strategy and doctrine, that has been identified as affecting the homeland at the Southwest border. Mexican drug cartels operate extremely efficiently and effectively and “represent the greatest crime threat to the United States.”⁴² US law enforcement officials estimate a seizure rate of only 10 to

20 percent.⁴³ Successfully trafficking such a vast quantity produces profits in the tens of billions of dollars annually to these illegally armed, sub-national groups.⁴⁴ This, in turn, facilitates a very high level of sophistication and organization. The cartels employ military grade weapons, high-end technology, intelligence, counter-surveillance, and paramilitary enforcers.⁴⁵ They even have their own private armies. The best example is the infamous Zetas. This is the armed enforcer wing of the Gulf Cartel. It is made up of specially trained commandos, some trained in the United States, who defected from the Mexican Army. The Mexican Department of Defense estimates the elite Zetas to have a core strength of five hundred.⁴⁶ Some reports, though, estimate the total number of armed operators from all the cartels to be nearly 100,000 strong.⁴⁷ The danger is not just from their former army training. These groups continue to train and operate as tactical units. They employ fire and maneuver with the most current tactical equipment. There are reports that Israeli mercenaries are assisting their training.⁴⁸ They are not only highly trained, but heavily armed. In one cache alone, seized from a Zeta leader's house, authorities counted 500 firearms, consisting of assault rifles and seven Barrett .50 caliber sniper rifles, 500,000 rounds of ammunition, 150 grenades, two rocket propelled grenade launchers, a light anti-tank weapon (LAW), and explosives.⁴⁹

The amount of revenue these organizations generate allows them to use corruption so effectively that the government cannot possibly compete. Just last year it was revealed the cartels owned a Mexican Army major in the president's security unit.⁵⁰ With their success and ever increasing capabilities, some intelligence officials expect to see the cartels branch out and begin incorporating human smuggling into their

operations.⁵¹ This would result in these highly capable, illegally armed, sub-national groups almost completely controlling illegal activity in the Southwest border region.

These cartels are not confined to the south side of the border either. Their influence and activities are increasing north of the border as they look to secure their hold on the routes into the United States, and distribution within. They are operating in at least 230 US cities across the nation.⁵² These are not just cities relatively near the border. Cities such as Seattle and Boston report the presence of Mexican cartels. Even Twin Falls, Idaho, reports cartel activity.⁵³ They are increasing their relationships with US prison and street gangs⁵⁴ At least twenty US gangs are affiliated with the Mexican cartels.⁵⁵

The sovereign territory of the United States continues to be invaded by illegal aliens, another threat to the United States identified in the strategy and doctrine. Law enforcement officials estimate only ten to thirty percent of people illegally crossing the border are apprehended.⁵⁶ This means that, for example, in a given year, anywhere between four and ten million people illegally crossed the border into the United States.⁵⁷ However, some US intelligence officials think the apprehension rate could be even lower.⁵⁸ This unimpeded flow has led to estimates of 12 million illegal aliens in the country.⁵⁹

Finally, as a current threat to the US homeland, the south side of the border appears to qualify as under governed space. In the mountain ranges and open desert of northern Mexico there is little control or influence by the central government, especially in the area of security.⁶⁰ Of the approximately six thousand drug related homicides throughout the country in 2008, many occurred in border cities and states.⁶¹ Local police

forces there (as well as multiple government entities throughout the country, at every level) are widely understood to be rife with corruption and infiltration by criminal organizations.⁶² One example that illustrates the depth of the corruption that is contributing to the government's inability to effectively control the area is the recent discovery that a Mexican Army field grade officer in the president's personal security unit has been on the cartels' payroll for years, earning \$100,000 a month.⁶³

The other threats to the US homeland discussed earlier, like terrorist organizations, criminal organizations, and illegal immigrants, are exploiting this under governed area. They emanate from this area as well as contribute to its worsening condition. The examples discussed above show a very disturbing trend: that these threats seem to be facilitating the spread of this under governed condition north, across the border and into the homeland itself.

The central government of Mexico has attempted to regain some control in the area in recent years. Since December of 2006, the president has deployed between 35,000 and 45,000 federal troops throughout the country to battle the drug cartels.⁶⁴ An estimated 16,000 of these are operating in the border area.⁶⁵ For example, there are an estimated 8,500 federal troops deployed in the city of Juarez alone,⁶⁶ just across the border from El Paso, Texas. In most cases the military is there to support the local police, in some cases to replace them. However, while military operations have met with some success in seizing large quantities of drugs, weapons and equipment, "the country's security situation continues to deteriorate at what appears to be an unstoppable rate."⁶⁷ The police remain largely ineffective. Even without the corruption that absolutely cripples their operations, they are outgunned and out-resourced by the powerful cartels.

As previously discussed, the cartels rival even US enforcement capabilities. The criminal elements operating in this under governed space are using rocket propelled grenade launchers, crew-served weapons, even improved explosive devices (IED).

Having this type of under governed space within the strategic approaches, in such close proximity to the US homeland, presents certain homeland defense risks. Not only does it seem to be worsening; it seems to be spreading north.

US law enforcement at every level report not only seeing increasing violence and ruthlessness, but it is spilling over the border.⁶⁸ The cartels are employing their surrogates and enforcers inside the United States.⁶⁹ For example, in 2006 there were 746 violent incidents targeting agents of the US Border Patrol.⁷⁰ These agents, as well as state and local law enforcement have been attacked with automatic weapons and even targeted for assassination.⁷¹ It has come to the point where some sheriffs of border counties admit they have standing orders to their deputies to “back-off” members of cartels and other criminal organizations.⁷² One sheriff has forbidden patrolling the bank of the Rio Grande River all together.⁷³

The spread of this under governed condition is not limited to border counties. It continues to spread to the interior of the homeland.

As bolder Mexican cartel hit men have begun to carry out assassinations on the U.S. side of the border in places such as Laredo, Rio Bravo, and even Dallas, the cartel figures have begun to seek sanctuary deeper in the United States, thereby bringing the threat with them.⁷⁴

The Zetas are believed to be operating throughout Texas, having been positively linked to multiple murders in the Dallas area.⁷⁵ Again, the Department of Justice estimates cartels are active in at least 230 cities across the country. The threat is not just confined to the product they sell, but the influence these foreign, illegally armed groups bring into the US

homeland. For example, the notorious gang Mara Salvatrucha (MS-13), of which ninety percent are foreign born,⁷⁶ control trade for the cartels in 28 states.⁷⁷ More pointed than just general crime, the cartels are carrying out specific, targeted operations in the United States' homeland. In June of 2008, a cartel hit team impersonated a SWAT team of the Phoenix Police Department, even "coordinating" with neighbors to stay clear of the operation, in order to successfully execute a suspected rival.⁷⁸

These identified threats have a wide range of associated actions. Some documents of the national security strategy and doctrine within the Department of Defense have attempted to classify these actions by type into traditional, irregular, catastrophic, and disruptive, but there is no consistency of use throughout.⁷⁹ The terms "directly" and "indirectly," to describe the way the homeland will be attacked, are also used throughout the documents, but, again, with no consistency. There is no actual definition of "direct attack" or "indirect attack" as they relate to defense of the homeland. The closest thing to a definition comes from Joint Publication 3-0, *Operations*, which states, "The US homeland and other US interests are potential targets for direct and indirect attack. Rather than confronting US military operations directly, adversary attacks may focus on political and public institutions."⁸⁰

While the JP 3-0 definition of indirect attacks seems to be focused on a thinking adversary intent on specifically hurting the United States, there are now other types of threats to the homeland. As previously discussed, the national security strategy and defense doctrine identify a number of threats which are not actual organizations, or are organizations whose ends are not to actually attack the United States. These are not directed by some sort of leadership, specifically intending to attack the nation, its

government, or its people. However, these threats do have associated actions which affect the homeland.

For example, illegal immigration is not an organization, but as a threat, there are certain actions that it manifests against the homeland. The goal of international criminal organizations is not to attack the United States and cause some military-type defeat. The effects related to these two threats are generally seen as long term effects. The National Security Strategy identifies these effects: corroding social order; bolstering crime and corruption; undermining effective governance; and compromising traditional security and law enforcement.⁸¹

Further actions which indirectly attack the homeland can be called exploitation of ungoverned or under governed spaces. The threats of uncontrolled immigration and international criminal organizations emanate from and are exacerbated by these spaces. Criminal organizations actively seek the exploitation of these spaces, where they can operate with impunity. The current war between the drug cartels over the Southwest border area illustrates the value of such space. These areas can also provide sanctuary to terrorists⁸² and, as previously discussed, “such coincidence creates opportunities for hostile coalitions of criminal elements and ideological extremists.”⁸³ These actions indirectly affect the defense of the homeland as these “extremists (e.g., foreign terrorist organizations) and opportunists (e.g., drug cartels and alien smuggling organizations) ... enter into relationships of convenience that exploit the capabilities of the other and cloud the distinction between crime and terror.”⁸⁴

Finally, as previously identified, there are actors which are actively seeking to attack the United States. They “are developing asymmetric tactics, techniques, and

procedures that seek to avoid situations where our advantages come into play.”⁸⁵ The *Strategy for Homeland Defense and Civil Support* warns that they will use these tactics to “penetrate our defenses and exploit the openness of our society to their advantage. By attacking our citizens, our economic institutions, our physical infrastructure, and our social fabric, they seek to destroy American democracy.”⁸⁶ Of utmost concern in defending the homeland are these groups’ “intent and capability to conduct complex, geographically dispersed attacks against the United States . . . [especially with] chemical, biological, radiological, nuclear, or high-yield explosives (CBRNE) capabilities, with the intent of causing mass panic or catastrophic loss of life.”⁸⁷

Key to this discussion is one of the identified ways in which these threats, avoiding our strengths, would actually enter the homeland for their attack. The National Defense Strategy recognizes that the nation has certain requirements for openness in commerce, but warns that terrorists and others are trying to exploit that openness.⁸⁸ Homeland defense strategy recognizes this dilemma as well, stating that our “commerce relies on the flow of goods and people across the nation’s borders . . . they will attempt to exploit this point of vulnerability . . . to gain surreptitious entry into the United States to conduct mass casualty attacks against Americans on US soil.”⁸⁹

To summarize, national security strategy and the doctrine of the Department of Defense identify an array of threats to the homeland. Apart from traditional threats, these non-traditional threats, generally non-state actors, are transnational and include terrorists, international criminal organizations, illegal immigration, and even the phenomenon of ungoverned or under governed spaces. These threats present a wide range of problems, such as illegal immigration, illicit trade and international criminality, exploitation of the

ungoverned or under governed spaces, and asymmetric techniques to avoid US military and security strengths and inflict catastrophic attacks.

The Strategy

The Strategy as it is Stated

“‘Strategy’ is commonly understood to include a statement of objectives, or desired ends; the ways and means designed to achieve those ends; and the roles and responsibilities of key players in executing those ways and means.”⁹⁰ As discussed in chapter 2, the *National Defense Strategy* outlines how the Department of Defense will support the objectives outlined in the *National Security Strategy*.⁹¹ This document evaluates the strategic environment in depth, and then lays out the department’s objectives, and the ways and means with which it will achieve those objectives. It broadly discusses roles and responsibilities and also addresses risk and its mitigation. This paper is concerned with the *National Defense Strategy*’s number one objective to defend the homeland, as one of the two “core responsibilit[ies] of the Department of Defense is to defend the United States from attack upon its territory at home.”⁹²

The *National Defense Strategy* is broad by design, with more detailed analysis and guidance provided in sub documents. This paper will be most concerned with the *Strategy for Homeland Defense and Civil Support*. It is written based on the concept of an active, layered defense outlined in the *National Defense Strategy*, and claims to constitute the Department’s vision for transforming homeland defense and civil support capabilities.⁹³

Within the construct of the global, active, layered defense in depth, the *Strategy for Homeland Defense and Civil Support* is concerned with the final two layers of that

defense, the strategic approaches to the continental United States and the homeland itself.⁹⁴ Again, as a strategy, its design can be analyzed through its stated ends, ways, means, and roles and responsibilities.

The strategy outlines five objectives, three of which pertain to the Southwest border. The first objective is to achieve maximum awareness of potential threats.⁹⁵ The second objective is to deter, intercept, and defeat threats at a safe distance.⁹⁶ Though the main wording of this objective says *at a safe distance*, further explanation states that “when directed by the President or the Secretary of Defense, we will defeat direct threats within US airspace and on US territory.”⁹⁷ The third objective is to improve domestic and international partner capabilities for homeland defense and homeland security.⁹⁸ Specifically, the document mentions, “working with lead domestic partners . . . and Mexico in the land domain, [to] discover potential threats before they reach the United States.”⁹⁹

The strategy outlines the capabilities required to achieve each of these ends. With respect to achieving maximum awareness, the strategy discusses improving intelligence collection, sharing, and analysis on a national level. Though it does discuss some recent Department of Defense specific initiatives focused on terrorism, no other actions are included. Further, there is no inclusion of any intelligence capability requirements specific to the land domain.

With respect to deterring, intercepting, and defeating at a safe distance, the strategy discusses two core capabilities. The first core capability is to deter adversaries from attacking the US homeland, which relies, in part, on the strength and agility of US forces, control of the operational domains, as well as active and passive defensive

actions.¹⁰⁰ The second core capability is to intercept and defeat. Specifically within the land operational domain, the strategy says that “The Department of Defense will be prepared to detect, deter, defeat direct, land-based attacks conducted by hostile nations against the United States. When directed, the Department will execute land-based military operations to detect, deter, defeat foreign terrorist attacks within the United States.”¹⁰¹

It is important to note that within these core capability statements the strategy qualifies the threats it will act on as “direct” and “when directed, foreign terrorist.” However, the definition of homeland defense does not qualify threats as direct. Neither does the *National Defense Strategy* qualify threats to the homeland as *direct*. To the contrary, it discusses a broad range of “previously unexpected threats” which now threaten the homeland.¹⁰² There is other discussion throughout the document, however, that is more in line with higher national strategy documents’ identification of types of threats, including non-state actors¹⁰³ and “other asymmetric threats”¹⁰⁴

The means with which to do this are outlined by the strategy in three tiers in which military forces “would likely operate.”¹⁰⁵ First would be to provide military assets in support of civilian law enforcement agencies. These assets would still be commanded and controlled by the Department of Defense.¹⁰⁶ The second tier is based on the fact that governors or other state authorities are authorized to employ National Guard members and units not on active duty in homeland defense operations.¹⁰⁷ The third tier is the military responding to presidential direction to intercept and defeat threats. In order to accomplish this, the strategy instructs that “DOD will ensure availability of appropriately sized, trained, equipped, and ready forces.”¹⁰⁸

There are various means through which the strategy will be carried out. The Assistant Secretary of Defense for Homeland Defense provides overall supervision of Department of Defense homeland defense activities. US Northern Command (USNORTHCOM) is responsible for planning, organizing, and executing homeland defense and civil support missions within the continental United States¹⁰⁹ Also, because the land domain approaches to the homeland are in the sovereign territory of Mexico, that nation's capabilities must be considered as means to achieve our objectives. The strategy addresses security cooperation with Mexico to bring their capabilities to bear within the US strategy to defend the homeland.

The military doctrine that supports this strategy and guides the employment of military forces in its implementation is Joint Publication 3-27, *Homeland Defense*. This manual states that the purpose of homeland defense is to protect against and mitigate the impact of incursions or attacks on sovereign territory, the domestic population, and defense critical infrastructure (DCI).¹¹⁰ JP 3-27 lists four objectives to achieve this purpose, focused on the land domain. The first objective is to identify the threat. The second objective is to dissuade adversaries from undertaking programs or conducting actions that could pose a threat to the US homeland. The third objective is to ensure defense of the homeland and deny adversary's access to sovereign territory. The final objective is to decisively defeat any adversary if deterrence fails.¹¹¹

The doctrine states that the Armed Forces achieve these objectives through actions in the approaches and the homeland, consistent with the three layered defense construct. It applies an operational framework that employs offensive actions with active and passive defenses to prepare for, detect, deter, prevent, defend against, and defeat

threats across all five operational domains.¹¹² In the approaches, actions focus on locating threats as far from the homeland as possible and defeating them at a safe distance.¹¹³ Within the third layer of defense, the homeland, JP 3-27 states, “In the event that defeating threats in forward regions and approaches fail, DOD must be postured to take immediate, decisive action to defend against and defeat the threat in the homeland.”¹¹⁴ Again, it is important to note here that the doctrine that supports the strategy does not qualify the threats as “direct.”

While the operational framework discussed above clearly applies across all domains, it is important to note some key qualifying statements in the doctrine pertaining to the land domain. To confuse matters further, the manual reiterates that the Department of Homeland Security has the responsibility of preventing terrorists and instruments of terror from crossing our borders.¹¹⁵ Further examples are the use of phrases such as land forces “may be requested,” employed to “respond to a crisis,” and “when directed by the President or Secretary of Defense to conduct homeland defense operations.”¹¹⁶ Of particular interest is the statement “although considered extraordinary, conditions may arise that require conventional land operations within the continental limits of the United States.”¹¹⁷ Inclusion of these phrases only confuses the reader. This kind of wording mixes roles and responsibilities and implies a certain attitude that the Department of Defense is not responsible for defending the homeland unless specifically told to do so at some future date.

As the means to carry out these actions, the doctrine primarily lists and describes the various military commands. It also discusses interagency coordination and leveraging. Finally, it discusses security cooperation with partner nations.

The Strategy as it is Implemented at the Southwest Border

According to Joint Publication 3-27, *Homeland Defense*, United States Northern Command (USNORTHCOM) is responsible for conducting military operations within its area of responsibility (AOR), using forces to deter, detect, or defeat an incursion into sovereign territory.¹¹⁸ USNORTHCOM is one of the nation's six geographic combatant commands. A geographic combatant command is generally composed of one component each of the separate services, plus any special subordinate commands it requires. The commander is responsible for a certain area, and usually reports directly to the Secretary of Defense or the President. This unified command is responsible for planning and executing homeland defense missions. Its subordinate service commands are generally responsible for conducting homeland defense.¹¹⁹

USNORTHCOM uses its Air Forces component, Air Force North (AFNORTH), to conduct homeland defense in the air domain, ensuring the air sovereignty and air defense of the continental United States.¹²⁰ In the sea domain, USNORTHCOM uses its naval component, US Fleet Forces Command (USFF), to execute homeland defense. However, within the land domain, it has very few standing forces, receiving forces to actually execute missions when ordered by the President or the Secretary of Defense.¹²¹ Instead, the land component, Army North (ARNORTH), concentrates on security cooperation with Mexican defense forces within the strategic land approach and on coordination and interoperability with other government agencies within the homeland itself.¹²² Unlike in the air and sea domains, there are no forces in the lead, physically defending the sovereignty, territory, and population of the United States from transnational threats.

Included in the mission statements for USNORTHCOM, as well as its subordinate service commands, is the responsibility to coordinate defense support to civil authorities.¹²³ Defense support of civil authorities, often referred to as civil support, is Department of Defense support, including Federal military forces, the Department's career civilian and contractor personnel, and Department of Defense agency and component assets, for domestic emergencies and for designated law enforcement and other activities.¹²⁴ The command also has joint task forces (JTF), such as JTF-North and JTF Civil Support, which coordinate and facilitate specific support to other government agencies in fulfillment of those agencies' missions. Civil support has become engrained not only in the strategic objectives of the land component,¹²⁵ but in the very mission and organization of the highest level command charged with defending the homeland. In the land domain the means applied to homeland defense actually equate to civil support.

This has led to the situation the United States has now, where it is the newly created Department of Homeland Security (DHS) that executes operations to prevent land-based transnational threats from entering the homeland. Within this new department, the United States Customs and Border Protection (CBP) is the law enforcement agency responsible for securing the nation's borders.

The United States Border Patrol, one of the departments of CBP is actually responsible for security at the Southwest border between the ports of entry (POE). The 2004 edition of the *National Border Patrol Strategy* has rewritten the Border Patrol's priority mission as preventing terrorists and terrorist weapons from entering the United States, but says the organization will also continue to prevent illegal aliens, smugglers, narcotics, and other contraband from entering the United States.¹²⁶ The strategy has three

objectives: to prevent terrorism, strengthen control the borders, and protect America and its citizens.¹²⁷ The Border Patrol has 15,442 agents stationed at the nation's southern border, with appropriations for 2,200 more in 2009.¹²⁸ It apprehends approximately one million illegal aliens every year;¹²⁹ 97 percent of those are at the Southwest border.¹³⁰ Again though, those one million apprehensions represent only between twenty and thirty percent of all attempts to illegally cross the border and enter the homeland.

To summarize, the Department of Defense is executing homeland defense at the Southwest border in limited fashion. It has a unified combatant command, USNORTHCOM, with responsibility for the mission. That command has its subordinate commands. It is routinely executing homeland defense, with assigned forces, in four of the five domains. In the land domain, however, the means applied to homeland defense are significantly less. Within the strategic land approach, forces are conducting security cooperation with Mexico. Within the homeland itself, objectives and organizations focus almost exclusively on civil support, not homeland defense as it is defined in doctrine and strategy. Other government agencies, focused on enforcing the law, have been left to protect the sovereignty, territory, and population of the United States.

Conclusion

Chapter 4 has shown that US national security strategy and its supporting doctrine recognize a new security environment. This security environment is complex and distributed, presenting a range of threats, not only to interests abroad, but up to, and into, the homeland. These threats go beyond the traditional military threats from other nation-states. The homeland today is threatened by a host of transnational, asymmetric threats, not only from states, but from non-state actors, including foreign terrorists, illegal

narcotics and the cartels that smuggle them as well as other criminal organizations, the flood of illegal aliens, and the worsening and spreading of under governed space.

The exploration of the current situation at the Southwest border shows that these threats do exist there. These threats have penetrated into not only the strategic land approach, but into the homeland itself. These threats are in the second layer of the US homeland defense construct, and have penetrated into the third layer. This chapter has shown that reporting indicates these threats are increasing and spreading.

While national security strategy and the doctrine used to implement it have somewhat adjusted to meet these realities, the strategy is confusing in its ways and means. That confusion contributes to what this chapter has shown to be the Department of Defense not employing the means in the land domain to fulfill its stated number one objective of defending the homeland.

¹*NMS*, 5.

²For an in-depth study of the concept of globalization, see Friedman's *The Lexus and the Olive Tree*.

³*Strategy for Homeland Defense and Civil Support*, 7.

⁴*NMS*, 18.

⁵*Strategy for Homeland Defense and Civil Support*, 40.

⁶*NMS*, 5.

⁷*NDS*, 3.

⁸*Ibid.*, 2.

⁹ *Strategy for Homeland Defense and Civil Support*, 40.

¹⁰ *NDS*, 2.

¹¹ *Strategy for Homeland Defense and Civil Support*, 1.

- ¹²*NMS*, 18.
- ¹³*Strategy for Homeland Defense and Civil Support*, 1-2.
- ¹⁴JP 3-27, I-5.
- ¹⁵*Ibid.*, I-5.
- ¹⁶*Strategy for Homeland Defense and Civil Support*, 11.
- ¹⁷JP 3-27, I-6.
- ¹⁸*Strategy for Homeland Defense and Civil Support*, 19.
- ¹⁹*NSS*, 43.
- ²⁰*NMS*, 6.
- ²¹*NSS*, throughout.
- ²²*Strategy for Homeland Defense and Civil Support*, 7.
- ²³*NMS*, 5.
- ²⁴*Strategy for Homeland Defense and Civil Support*, 10.
- ²⁵*Ibid.*, 16.
- ²⁶*NDS*, 2.
- ²⁷*NMS*, 4.
- ²⁸*NDS*, 2.
- ²⁹*Strategy for Homeland Defense and Civil Support*, 5.
- ³⁰JP 3-27, I-5.
- ³¹*NMS*, 47.
- ³²*Ibid.*, 5.
- ³³*NDS*, 2.
- ³⁴McCaul, 29.
- ³⁵Sara A. Carter, “Exclusive: Hezbollah uses Mexican Drug Routes into U.S.,” *The Washington Times* (March 27, 2009).

- ³⁶McCaul, 28.
- ³⁷*Ibid.*, 27.
- ³⁸*Ibid.*, 29.
- ³⁹*Ibid.*, 17.
- ⁴⁰*Ibid.*, 30.
- ⁴¹*Ibid.*, 30.
- ⁴²*National Drug Threat Assessment*, III.
- ⁴³McCaul, 3.
- ⁴⁴*National Drug Threat Assessment*, III.
- ⁴⁵McCaul, 4.
- ⁴⁶Oscar Becerra, “A to Z of Crime: Mexico’s Zetas Expand Operations,” *Jane’s Intelligence Review*, January 30, 2009.
- ⁴⁷Sara A. Carter, “Exclusive: 100,000 Foot Soldiers in Cartels,” *The Washington Times*, March 3, 2009
- ⁴⁸Fred Burton and Scott Stewart, “Worrying Signs from Border Raids,” STRATFOR Global Intelligence, 12 November 2008.
- ⁴⁹Burton and Stewart, “Worrying Signs from Border Raids.”
- ⁵⁰STRATFOR Global Intelligence, “Cartel Sources in High Places,” 29 December 2008.
- ⁵¹McCaul, 7.
- ⁵²*National Drug Threat Assessment*, 45.
- ⁵³*National Drug Threat Assessment*, 58-59.
- ⁵⁴McCaul, 7.
- ⁵⁵*National Drug Threat Assessment*, 44.
- ⁵⁶McCaul, 3.
- ⁵⁷*Ibid.*, 3.

⁵⁸Ibid., 32.

⁵⁹Jeffery S. Passel, *Size and Characteristics of the Unauthorized Migrant Population in the U.S.*, Washington, D.C.: Pew Hispanic Center, March 7, 2006.

⁶⁰STRATFOR Global Intelligence, "Part 2: A War of Attrition is a Limited Strategy," 10 December 2008.

⁶¹STRATFOR Global Intelligence, "Mexico: Diplomacy Among Sinaloa's Cartels?," 30 January 2009.

⁶²STRATFOR Global Intelligence, "Part 2: A War of Attrition is a Limited Strategy," 10 December 2008.

⁶³STRATFOR Global Intelligence, "Cartel Sources in High Places," 29 December 2008.

⁶⁴STRATFOR Global Intelligence, "Mexican Drug Cartels, Government Progress and Growing Violence," 11 December 2008.

⁶⁵STRATFOR Global Intelligence, "Part 2: A War of Attrition is a Limited Strategy," 10 December 2008.

⁶⁶STRATFOR Global Intelligence, "Mexico Security Memo," March 9, 2009.

⁶⁷STRATFOR Global Intelligence, "Mexican Drug Cartels, Government Progress and Growing Violence," 11 December 2008.

⁶⁸McCaul, 6.

⁶⁹Ibid., 15.

⁷⁰Ibid., 18.

⁷¹Ibid., 18-19.

⁷²Ibid., 22.

⁷³Ibid., 23.

⁷⁴Fred Burton and Scott Stewart, "Mexican Cartels and the Fallout from Phoenix," STRATFOR Global Intelligence, 2 July 2008.

⁷⁵Ibid., 17.

⁷⁶Ibid., 16.

⁷⁷Ibid., 15.

- ⁷⁸Burton and Stewart, “Mexican Cartels and the Fallout from Phoenix.”
- ⁷⁹NSS, 44, and NMS, 4.
- ⁸⁰JP 3-0, I-1.
- ⁸¹NSS, 47.
- ⁸²NMS, 5.
- ⁸³Ibid., 5.
- ⁸⁴JP 3-27, I-3.
- ⁸⁵NDS, 22.
- ⁸⁶*Strategy for Homeland Defense and Civil Support*, 7.
- ⁸⁷Ibid., 7.
- ⁸⁸NDS, 7.
- ⁸⁹*Strategy for Homeland Defense and Civil Support*, 9.
- ⁹⁰Catherine Dale, *War in Afghanistan: Strategy, Military Operations, and Issues for Congress*, Washington, DC: Congressional Research Service, January 2009, 7.
- ⁹¹NDS, 2.
- ⁹²Ibid., 6. The other core responsibility being to “... secure its interests abroad.”
- ⁹³*Strategy for Homeland Defense and Civil Support*, iii.
- ⁹⁴Ibid., 2.
- ⁹⁵Ibid., 20.
- ⁹⁶Ibid., 24.
- ⁹⁷Ibid., 3.
- ⁹⁸Ibid., 15.
- ⁹⁹Ibid., 3.
- ¹⁰⁰Ibid., 24.
- ¹⁰¹Ibid., 26.

¹⁰²*NDS*, 6-7.

¹⁰³*Strategy for Homeland Defense and Civil Support*, 9.

¹⁰⁴*Ibid.*, 26.

¹⁰⁵*Ibid.*, 26.

¹⁰⁶*Ibid.*, 26-27.

¹⁰⁷*Ibid.*, 27.

¹⁰⁸*Ibid.*, 27.

¹⁰⁹*Ibid.*, 8.

¹¹⁰JP 3-27, viii.

¹¹¹*Ibid.*, viii.

¹¹²*Ibid.*, I-7.

¹¹³*Ibid.*, I-5.

¹¹⁴*Ibid.*, I-6.

¹¹⁵*Ibid.*, IV-1.

¹¹⁶*Ibid.*, IV-3.

¹¹⁷*Ibid.*, IV-5.

¹¹⁸*Ibid.*, II-4.

¹¹⁹*Ibid.*, II-6.

¹²⁰northcom.mil, "About," <http://www.northcom.mil/About/index.html> (accessed March 20, 2009).

¹²¹*Ibid.*

¹²²ARNORTH Strategy Map slide, dated 9 February 2009, found at: <https://portal.arnorth.army.mil/default.aspx>

¹²³<http://www.northcom.mil/About/index.html>

¹²⁴*Strategy for Homeland Defense and Civil Support*, 6.

¹²⁵ARNORTH Strategy Map slide, dated 9 February 2009,
<https://portal.arnorth.army.mil/default.aspx>.

¹²⁶Department of Homeland Security, *National Border Patrol Strategy*
(Washington, DC: Government Printing Office, n.d.), 2.

¹²⁷*Ibid.*, 3.

¹²⁸Blas Nunez-Neto, *Border Security: The Role of the U.S. Border Patrol*,
Washington, DC: Congressional Research Service, November 2008, 13.

¹²⁹*National Border Patrol Strategy*, 5.

¹³⁰Nunez-Neto, *Border Security: The Role of the U.S. Border Patrol*, 14.

CHAPTER 5

CONCLUSIONS AND RECOMMENDATIONS

Introduction

Based on the analysis in chapter 4, this chapter draws the conclusion that homeland defense strategy and supporting doctrine is not only confusing, but insufficient to meet the recognized threats of today's security environment. Worse, the strategy is not even being implemented as written. This chapter recommends a revision of the strategy and implementation of that strategy at the Southwest border. Additionally, this chapter will briefly discuss some context in which those recommendations would have to be considered for implementation.

Chapter 4 first discussed what the US national security strategy documents and doctrine recognize as the new security environment. It then explored the threats that environment poses and the strategy the United States has to mitigate those threats, comparing what strategy and doctrine say with what is actually happening at the Southwest border. The findings in chapter 4 show that US national security strategy and its supporting doctrine recognize a new security environment. This security environment is complex and distributed, presenting a range of threats, not only to interests abroad, but up to, and into, the homeland. These threats go beyond the traditional military threats of other states. The strategy and doctrine recognize that today the homeland is threatened by a host of transnational, asymmetric threats, not only from states, but also from non-state actors, including foreign terrorists, illegal narcotics and the cartels that smuggle them as well as other criminal organizations, the flood of illegal aliens, and the worsening and spreading of the under governed space that facilitates these threats. National security

strategy and the doctrine used to implement it have somewhat adjusted to meet these realities but also have significant shortcomings with respect to roles and responsibilities and matching capabilities to threats.

In its exploration of the current situation chapter 4 also showed that these threats do exist at the Southwest border. It further showed that these threats have penetrated into not only the strategic land approach, but into the homeland itself. Most notably, though, it showed that the Department of Defense is not employing the means in the land domain to fulfill its stated number one objective of defending the homeland. In addition, the facts indicate the limited means the nation is employing to “secure” the homeland are being overwhelmed at the Southwest border.

Conclusions

National security strategy and the doctrine that supports it is confusing and insufficient to meet today’s threats to the United States homeland. This confusion has led to misinterpretation of threats, roles and responsibilities, and a misapplication of means. These documents do not provide clear guidance to the executors of the strategy.

The names, descriptions, and definitions of the non-traditional threats the nation faces are not uniform throughout national level strategy or defense doctrine. Terms like “terrorist” and “non-state actor” are used in most documents. However, terms like “transnational threats,” “direct threats” versus “indirect threats,” “external threats and aggression,” and “criminal organizations” are used in some but not in others. Some entire threat concepts, while addressed in some documents, are not addressed in others. Examples of this are globalization, ungoverned or under governed spaces, and illegal immigration.

This disparity in terminology has led to confusion throughout the various strategies, the doctrine, and the organizations of defense and security, especially with respect to roles and responsibilities for those threats. This confusion is most easily seen in the very title of the document that supposedly lays out the strategy for the Department of Defense, the lead agency for defending the homeland, to meet its number one objective: *Strategy for Homeland Defense and Civil Support*. Homeland defense and civil support are two completely different operations. Civil support is simply the legal ways in which the Department of Defense can support civil agencies with certain capabilities to better fulfill their roles. Homeland defense is the actual protection of the sovereign territory and populace of the United States, which is supposedly the number one objective of the national defense. Combining the two under one strategy document creates seams with respect to how means are actually applied to implement the strategy. This may sound simplistic, but words matter. The nation's defense mechanism is piecemealing capabilities in support of other agencies and saying that the homeland is being defended.

Of particular concern is the assertion made in the *Strategy for Homeland Defense and Civil Support* that the threats it will act on will be "direct" and "when directed, foreign terrorist." Again, the definition of homeland defense does not qualify threats as direct. Neither does the *National Defense Strategy*, the document with the objective that this strategy is trying to achieve, qualify threats to the homeland as "direct." To the contrary, it discusses a broad range of "previously unexpected threats" which now threaten the homeland.¹

Other “indirect” language throughout the documents exacerbates the problem. In both the *Strategy for Homeland Defense and Civil Support* and JP 3-27, *Homeland Defense*, various terms are used that imply a theoretical nature to homeland defense. Phrases like “may be directed,” “to respond to a crisis,” “when directed to conduct homeland defense,” and “considered extraordinary,” when discussing homeland defense operations in the land domain, seem to suggest that the homeland does not need defending right now but may in the future. This is not in line with the description of the security environment described by all of these documents. As seen in chapter 4, the environment is described as presenting threats throughout the world, including the approaches to the homeland and the homeland itself.

This lack of codification of threats and corresponding actions creates a gap between what the Department of Defense says homeland defense is and how it will execute it. This paper has shown there are threats to the homeland that are exploiting that gap. This gap is not just problematic within this document. The problem is pervasive throughout national security strategy and doctrine documents. Even the National Strategy for Homeland Security talks about *defending the homeland*.²

Even these inconsistencies in the strategy are not the most glaring problem. The most glaring problem is that the nation is not currently implementing the strategy. First of all, the land domain that comprises our strategic approach from the south is within the sovereign territory of Mexico. The nation is accepting some risk in this strategic approach by using security cooperation as a means. While any strategy has to accept some risk, this risk is not mitigated by employing means at the next layer, the homeland.

USNORTHCOM, the military command charged with defending the homeland, has no standing land forces. The threats of the current security environment have been named by national security strategy documents and the doctrine that supports it. Those threats, namely terrorists, narcotics and the illegally armed groups that smuggle them, illegal immigration, and the spreading under governed space that facilitates them all, have been identified not only in the strategic approaches, but they have already penetrated into the homeland itself. The nation's homeland defense strategy purports to employ a three-layered defense. However, the identified threats are operating throughout all layers. Even as these threats have penetrated the third and final layer, the nation's armed forces, whose number one objective is to defend the homeland, are not employing forces in all domains.

Means are not being employed to “achieve maximum awareness of potential threats, and then to deter, intercept, and defeat threats,” as the strategy for homeland defense claims. Though these words are from the homeland defense strategy, specifically, they can be used to look at the situation of the Southwest border in a broader sense. Regardless of the reasons the Department of Defense is not defending the homeland or why there is so much confusion about roles and responsibilities between the government agencies, or why it is being “secured” versus “defended,” the methods being employed by other agencies are not working. If it is in the national security interest to prevent these threats from entering the homeland of the United States, other resources must be applied to the issue.

Recommendations

The Department of Defense should rewrite its *Strategy for Homeland Defense and Civil Support*. The very first step in this process is separating it into two separate strategies. Again, homeland defense is the protection of US sovereignty, territory, domestic population, and critical defense infrastructure against external threats and aggression, or other threats as directed by the President.³ The strategy defines civil support as Department of Defense support for domestic emergencies and for designated law enforcement and other activities. The department provides this support when directed to do so by the President are Secretary of Defense.⁴

They are not interchangeable. Each mission is executed completely differently. First, the two types of operations are focused on very different “targets.” Homeland defense is focused on defending the homeland against an external threat. Civil support is focused internally on assisting other agencies, which can cover the spectrum from support to law enforcement to assisting the Department of Agriculture. These different focuses are inextricably linked to lead responsibility. The Department of Defense leads homeland defense, but is obviously in a supporting role during civil support.

Having these two very different missions combined under one strategy lends to confusion. This is one of the contributing factors to the mistaken perception that some civil support missions are contributing to homeland defense. Separating the two, giving each its own strategy, will contribute greatly to clarification of roles and responsibilities throughout the various national security strategy documents and doctrine. This clarification of roles and responsibilities will result in a more effective and efficient

concentration of organizations, resources, and efforts, not just for the Department of Defense, but for multiple government agencies.

Having separated the existing strategy, there are some additional revisions that the Department of Defense should incorporate in the *Strategy for Homeland Defense*. First, the strategy should clarify the difference between homeland defense and homeland security. Secondly, the strategy should clarify threats to the homeland.

The strategy, as it is written now, gives definitions of homeland defense and homeland security but does not explain the difference. It seems to leave the interpretation up to the reader. The strategy uses the definition from the *National Strategy for Homeland Security*, which defines homeland security as a concerted national effort to prevent terrorist attacks within the United States, reduce America's vulnerability to terrorism, and minimize the damage and recover from attacks that do occur.⁵ What makes this more confusing is that throughout the strategy, terrorism is the number one threat talked about. So the strategy outlining how the Department will achieve its number one objective, for which it is the lead responsible agency for the nation, seems to focus on a threat for which another government agency has the lead. By separating homeland defense and civil support in two, discussion about terrorism and any corresponding actions by the Department of Defense could be moved to the *Strategy for Civil Support*, allowing for more detailed focus on how the Department will support other agencies, specifically the Department of Homeland Security in its mission to prevent terrorists from entering the country. This, of course, would allow the proper focus on homeland defense, as well.

The *Strategy for Homeland Defense* needs to clarify threats to the homeland and how the Department of Defense will respond to those threats. A number of times, the strategy qualifies threats military forces will respond to as *direct*. However, the definition of homeland defense does not qualify threats as direct or indirect. Neither does the *National Defense Strategy* qualify threats to the homeland as *direct*. To the contrary, it discusses a broad range of “previously unexpected threats” which now threaten the homeland.⁶ Attempting to define the threats to the homeland, and the Department’s subsequent actions against those threats, might force the issue throughout the defense, homeland security, and government apparatus.

A possible outcome of this could be one that would negate the second recommendation of this paper. There could be a consensus that threats requiring the execution of homeland defense be designated only military-type threats, and all others fall under the homeland security or law enforcement realms. However, that would be preferable to the confusion now causing such ineffectiveness or even inaction. Codification of those threats requiring the homeland to be defended, led by the Department of Defense, and those falling under other agencies’ responsibilities would facilitate more efficient and effective focus in all areas.

My second recommendation is that the Department of Defense, at the order of the President, execute its homeland defense mission in the land domain between the ports of entry at the Southwest border. The Department of Defense must assign land component forces to USNORTHCOM, probably to ARNORTH, but maybe even JTF-North. USNORTHCOM should be directed to turn away threats to the homeland attempting to exploit the land domain across the Southwest border.

As the United States armed forces maintain dominance in the surrounding domains, namely air and sea, these threats are, and will increasingly, canalize at the Southwest land border. There, in the land domain, the homeland is not being defended. Worse, with seizure rates estimated at best at thirty and twenty percent for illegal border crossers and narcotics contraband, respectively, the homeland is not being “secured” either.

The vast majority of police officers and federal agents in the United States simply are not prepared or equipped to deal with a highly trained fire team using insurgent tactics. That is a task suited more for the U.S. military forces currently deployed in Iraq and Afghanistan.⁷

This is the chance to converge the power of the Armed Forces, executing the military task of homeland defense, on the threats to the nation. With the Department of Defense turning threats away between the ports of entry, it will allow other agencies to better accomplish their missions at the ports of entry and in the interior. It will prevent these threats from simply avoiding the nation’s current security measures by crossing the nation’s unsecured, certainly undefended, border at will.

Context for Implementation

It would be irresponsible not to consider some of the broader context in which these recommendations would be implemented. Though this paper is limited in scope to the Department of Defense and its responsibility for homeland defense, any major shift in operations or policy with respect to armed forces and the Southwest border would have national and international implications.

This paper’s first recommendation would be relatively easy to implement. Rewriting the Department’s homeland defense strategy could be mostly an internal issue.

Certainly, separating homeland defense and civil support into their own strategies should be transparent outside the department. However, any attempt to codify threats to the homeland, and certainly corresponding reactions by the Department of Defense, would have to be approved by the nation's civilian leadership.

This paper's second recommendation has much broader implications. These implications would range across the diplomatic, informational, military, and economic instruments of national power (DIME). Again, though out of the scope of this paper, the major issues should at least be mentioned.

In the diplomatic (or political) arena the Southwest border and the employment of federal troops on US soil are two very sensitive topics. Politicians within both the executive and legislative branches must consider a host of issues ranging the economic and social agendas. Of course, the legal implications are always considered. The Armed Forces operating on US soil has historically engendered great legal debate. The majority of these legal debates usually center on the Posse Comitatus Act (PCA) of 1878. The act forbids the use of the Armed Forces to execute law enforcement.⁸ However, homeland defense is a military purpose and therefore would not need exception to PCA.

Another issue in the diplomatic arena, spilling into the informational, is the effect on Mexico and its perception of the action. Border issues, immigration issues, and the economic ramifications of changes to policy evoke strong emotion from Mexicans. Many Mexicans depend on money made in the United States for their very survival. As an example, remittances back to Mexico, money sent from foreign born individuals back to their country of origin, were estimated to be more than 23.8 billion dollars in 2008.⁹ Any disruption, no matter how temporary, would have a significant impact on Mexico.

In addition, the simple notion of denying entry to the United States, even illegal entry, continues to be viewed negatively by Mexicans, officially and unofficially.

Militarily, some would argue that the force reallocation would be too painful. However, the combatant command, USNORTHCOM is already in place. The air and naval service components already have forces assigned and operating. Lacking only the land component the nation must assign forces and position them. That physical de-confliction along the border with other federal, state, local, and tribal organizations would be the most daunting challenge.

Still more would argue that the Global War on Terror (GWOT) is the priority. First, that is not what the *National Defense Strategy* says. It says that winning the long war is second to defending the homeland. Secondly, the threat of terrorism has been identified at the Southwest border. To limit the ways of defeating them to the countries of Iraq and Afghanistan is naïve. In not defending our Southwest border we are inviting that war into the homeland. This enemy is actively seeking ways to strike inside the US homeland. As these terrorists look for access, tens of thousands of people and multi-ton quantities of contraband cross the Southwest border every year. Brian Michael Jenkins, a terrorism analyst with the RAND Corporation for forty years, sums it up best:

Our terrorist foes do not live on another planet, however. Even in their isolated universes, they watch what we watch, read what we read. A highly publicized vulnerability inspires them to contemplate whether they actually might be able to exploit it.¹⁰

The economic effects of implementing this recommendation would be the most difficult hurdle to overcome. Internally, the US economy relies on a large number of illegal aliens in the workforce. Some estimate illegal immigrants make up almost five percent of the civilian workforce in the United States.¹¹ A disruption in the supply of this

workforce could hurt the economy. This, in turn, could force other government institutions to make major adjustments. Also, preventing illegal crossing between the ports of entry would canalize traffic to the ports of entry. This could significantly disrupt commerce as other facets of the government adjusted to accommodate the changed “traffic pattern.”

Again, these contexts are outside of the scope of this paper. However, any further study on the recommendations of this paper would certainly have to take them into consideration. They represent a small sample of the possible national and international implications of implementing these recommendations.

Conclusion

This paper has recommended a revision of the nation’s homeland defense strategy and that homeland defense be executed at the Southwest border. These recommendations are made based on a combination of factors. The current strategy is confusing, incomplete, and not being implemented. Threats to national security have already penetrated the nation’s third layer of defense and entered the homeland. Those threats continue to enter the homeland with alarming success. In the words of one Arizona congressman, “Maybe it’s time to think about what even I believed unthinkable just a few years ago--putting troops on the border until we can get the situation under control.”¹²

¹*NDS*, 6-7.

²*National Strategy for Homeland Security*, throughout.

³*Strategy for Homeland Defense and Civil Support*, 5.

⁴*Ibid.*, 5-6.

⁵Ibid., 5.

⁶NDS, 6-7.

⁷Burton and Stewart, “Mexican Cartels and the Fallout from Phoenix.”

⁸Title 18, U.S. Code, Section 1385.

⁹Dilip Ratha, Sanket Mohapatra, and Zhimei Xu, “Outlook for Remittance Flows 2008-2010” *Migration and Development Brief* 8, Migration and Remittances Team, World Bank, November 11, 2008, 3.

¹⁰Jenkins, 152.

¹¹Passel, 9.

¹²Hayworth, 12.

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